

Honolulu, Hawaii

APR - 1 2015

RE: S.C.R. No. 52  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.C.R. No. 52 entitled:

"SENATE CONCURRENT RESOLUTION PETITIONING CONGRESS FOR A  
LIMITED AMENDMENTS CONVENTION TO RESTORE FREE AND FAIR  
ELECTIONS BY OVERTURNING THE DECISION OF THE UNITED STATES  
SUPREME COURT IN *CITIZENS UNITED V. FEDERAL ELECTION  
COMMISSION*, 558 U.S. 310 (2010) AND RELATED CASES,"

begs leave to report as follows:

The purpose and intent of this measure is to petition the  
United States Congress for a limited amendments convention to  
restore free and fair elections by addressing concerns raised by  
the decision of the United States Supreme Court in *Citizens United  
v. Federal Election Commission*, 558 U.S. 310 (2010) and related  
cases.

Your Committee received testimony in support of this measure  
from sixteen individuals. Your Committee received comments on  
this measure from the Department of the Attorney General and one  
individual.

Your Committee finds that the United States Supreme Court  
ruling in *Citizens United v. Federal Election Commission*, 558 U.S.  
310 (2010) removed restrictions on amounts of independent  
political spending. The removal of those restrictions has  
resulted in the unjust influence of powerful economic forces,  
which have supplanted the will of the people by undermining the  
people's ability to choose their political leadership, write their



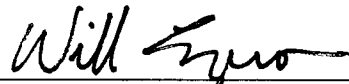
own laws, and determine the fate of their state. There is a need for the United States Congress to convene a convention to propose Constitutional amendments to address a variety of concerns and restore the rights of the people.

Your Committee has amended this measure by:

- (1) Requesting that the convention also address whether money spent on candidate elections and ballot measures should constitute "speech" under the First Amendment;
- (2) Amending the title accordingly;
- (3) Authorizing the State of Hawaii, rather than the convention, to retain the ability to restrict or expand the power of its delegates within certain limits; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 52, as amended herein, and recommends that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as S.C.R. No. 52, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,



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WILL ESPERO, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SCR 52</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">PSM, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3-31-15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> <input type="checkbox"/> Pass, unamended 2312         </div> <div> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div> <input type="checkbox"/> Hold 2310         </div> <div> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
BAKER, Rosalyn H. (VC)				<div style="font-size: 1.5em; font-family: cursive;">X</div>
GALUTERIA, Brickwood	<div style="font-size: 1.5em; font-family: cursive;">X</div>			
KEITH-AGARAN, Gilbert S.C.		<div style="font-size: 1.5em; font-family: cursive;">X</div>		
SLOM, Sam			<div style="font-size: 1.5em; font-family: cursive;">X</div>	
<b>TOTAL</b>	<div style="font-size: 1.5em; font-family: cursive;">2</div>	<div style="font-size: 1.5em; font-family: cursive;">1</div>	<div style="font-size: 1.5em; font-family: cursive;">1</div>	<div style="font-size: 1.5em; font-family: cursive;">1</div>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

**\*Only one measure per Record of Votes**